SINGLE BENCH

3 CF 1

IN THE HIGH COURT OF JUDICATURE AT BILASPUR(C.G.)

WRIT PETITION NO. 3221 /2005

PETITIONER

Nagendra Pratap Singh, aged about 49 years, son of Shri Lucky Singh, resident of Janjgir, District Janjgir-Champa (Chhattisgarh)

P.R. No. 2253/05
Presented by Shri Ajay Singh
dated 19-5-05

VERSUS

RESPONDENTS

1. State of Chhattisgarh, through Its Secretary, Department of Road Transport, Dau Kalyan Singh Bhawan, Raipur, C.G.

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2. The Regional Transport Officer, Bilaspur (Chhattisgarh)

3. The Assistant Transport Commissioner Chhattisgarh, Raipur.

WRIT PETITION UNDER ARTICLES 226 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF WRIT IN THE NATURE OF CERTIORARI, MANDAMUS ETC. AND FOR APPROPRIATE WRIT OR WRITS, ORDER OR ORDERS, DIRECTION OR DIRECTIONS.

XI-HC-22

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.(W.)No. 3226 सन् **2005**

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	1-8-2005 Shri Alok Bakshi, counsel for the petitioner. Shri U.N.S. Deo, Govt. Advocate for the State/respondents. Shri J. L. Paikra, R.T.O., Bilaspur is present in the Court. Heard learned counsel for the parties. The case of the petitioner is that his truck bearing registration No.C.G.-10-A/2685 was seized by the Transport Department on 27-2-2004 on the ground of non-payment of road tax. After payment of tax, the petitioner moved for release of the vehicle and the petitioner deposited the entire arrears of tax but the vehicle is not being released. The C.J.M. rejected the application with the observation that the vehicle can be released by Tax Authority, but the R.T.O. is not releasing the vehicle. Return has been filed on behalf of respondents. It is admitted position that the outstanding tax has already been paid and the seizure memo Annexure-P/1 also shows that the vehicle was seized under the provisions of Section 16 (3) of the Road Tax Act read with Section 207 of the M.V. Act and handed over to the Police. Since the tax has already been paid, therefore, the Transport Department is required to intimate the Police Station that the tax has already been paid. In the circumstances, it is directed that the vehicle may be released, if not otherwise required in any other case With the direction aforesaid, the petition stands disposed of. Consequently, M.(W.)P. No.2701/2005 also stands disposed of. Parties are entitled for certified copy of this order. **Sd/-** **L.C. Bhadoo** **Judge**	

Badwel